

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FARNANDO WHITEHEAD,

Plaintiff,

VS.

DSW, INC.,

Defendant.

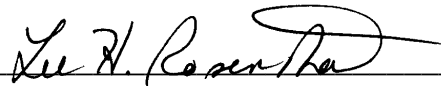
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CIVIL ACTION NO. H-11-3727

ORDER

Since filing this lawsuit, Farnando Whitehead has failed to take any steps to prosecute the action. He failed to meet and confer with the defendant as required under Federal Rule of Civil Procedure 26(f), and he failed to appear at the court-ordered initial conference. (Docket Entry No. 8). Accordingly, this case is dismissed, without prejudice, for lack of prosecution and for failure to comply with the order of this court. *See* FED. R. CIV. P. 41(b); *Manning v. Cheramie Bros. Bo Truc*, 247 F. App'x 565, 566 (5th Cir. 2007) (per curiam) (citing *McCullough v. Lynaugh*, 834 F.2d 1126, 1127 (5th Cir. 1988)).

SIGNED on February 24, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge